

**WAC 296-104-701 What are the civil penalties?** (1) An owner, user, or operator of a boiler or pressure vessel that violates a provision of chapter 70.79 RCW, or of the rules adopted under that chapter, is liable for a civil penalty based on the following schedule.

Operating under pressure a boiler or pressure vessel which the department has condemned, has issued a red tag or has suspended the inspection certificate:

|                                   |          |
|-----------------------------------|----------|
| First offense . . . . .           | \$150.00 |
| Second offense . . . . .          | \$300.00 |
| Each additional offense . . . . . | \$500.00 |

Each day of such unlawful operation shall be deemed a separate offense.

Operating under pressure a boiler or pressure vessel without a valid inspection certificate:

|                                   |          |
|-----------------------------------|----------|
| First offense . . . . .           | \$ 50.00 |
| Second offense . . . . .          | \$100.00 |
| Each additional offense . . . . . | \$200.00 |

Each day of such unlawful operation shall be deemed a separate offense.

Installation of a boiler or pressure vessel without meeting prior filing requirements of WAC [296-104-020](#):

|                                   |          |
|-----------------------------------|----------|
| First offense . . . . .           | \$100.00 |
| Second offense . . . . .          | \$200.00 |
| Each additional offense . . . . . | \$500.00 |

Performing a repair to a boiler or pressure vessel, involving welding to a pressure retaining part, without meeting requirements of WAC [296-104-502](#):

|                                   |          |
|-----------------------------------|----------|
| First offense . . . . .           | \$150.00 |
| Second offense . . . . .          | \$300.00 |
| Each additional offense . . . . . | \$500.00 |

Performing an alteration to a boiler or pressure vessel without meeting requirements of WAC [296-104-502](#):

|                                   |          |
|-----------------------------------|----------|
| First offense . . . . .           | \$150.00 |
| Second offense . . . . .          | \$300.00 |
| Each additional offense . . . . . | \$500.00 |

Performing resetting, repair or restamping of safety valves, safety relief valves, or rupture discs, without meeting requirements of WAC [296-104-515](#):

|                                   |          |
|-----------------------------------|----------|
| First offense . . . . .           | \$150.00 |
| Second offense . . . . .          | \$300.00 |
| Each additional offense . . . . . | \$500.00 |

Failure of owner to notify chief inspector in case of accident which serves to render a boiler or unfired pressure vessel inoperative, as required by WAC [296-104-025](#):

|                        |          |
|------------------------|----------|
| Each offense . . . . . | \$100.00 |
|------------------------|----------|

Failure to comply with a noncompliance report requirement:

|                               |          |
|-------------------------------|----------|
| Within 90 days . . . . .      | \$100.00 |
| Within 91-180 days . . . . .  | \$250.00 |
| Within 181-270 days . . . . . | \$400.00 |
| Within 271-360 days . . . . . | \$500.00 |

(2) The Insurance Company responsible for the inservice Inspector of a boiler or unfired pressure vessel that violates a provision of Chapter 296-104 WAC, or the rules adopted under that chapter, is liable for a civil penalty based on the following schedule.

Failure to file a report of inspection per WAC 296-104-040

Each offence.....\$50.00

Failure to apply a state serial number per WAC 296-104-140

Each offence.....\$50.00

Failure to attach a “Red TAG per WAC 296-104-110

Each offence.....\$50.00

Each object (boiler or unfired pressure vessel) is considered a separate offense

~~(2)-(3)~~ The department shall by certified mail notify a person of its determination that the person has violated this section.

~~(3)-(4)~~ Any person aggrieved by an order or act under the boiler and unfired pressure vessels law or under the rules and regulations may, within fifteen days after such order or act, appeal to the board of boiler rules.

~~(4)-(5)~~ Each day that a violation occurs will be a separate offense. A violation

will be a second or additional offense only if it occurs within one year from the first violation.

[Statutory Authority: RCW 70.79.030, 70.79.040 and chapter 70.79 RCW. 00-21-024, § 296-104-701, filed 10/10/00, effective 11/13/00. Statutory Authority: Chapter 70.79 RCW. 87-12-003 (Order 87-10), § 296-104-701, filed 5/21/87.]